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**Claim Rejections - 35 USC §102(e)**

1. The Examiner's rejection of Claims 1, 28, 36, 40, 41, and 49 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,219,696 to Wynblatt et al., has been studied and the Applicant respectfully submits that the cited reference does not disclose or anticipate several of the elements found in the rejected Claims.

The Wynblatt patent does not mention the term banner or the term menu. Wynblatt fails to disclose a menu means for displaying a menu when the banner is displayed on a screen on an end-user computer. The Wynblatt patent discloses a system to display a single URL or document on that URL which may be any "WWW object" as disclosed in column 2, lines 43-48. No specific mention of the term banner is found in Wynblatt, but suffice it to say that, the present Application distinguishes between the message of Wynblatt and banner in the present Claims both in the Claims and in the specification, while the Wynblatt patent does not appear to do so and the Examiner has not pointed out with any specificity where or which elements in the cited references are the message and the banner.

With regards to all of the rejected Claims, the Wynblatt patent fails to disclose "a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which end-user computer is connectable". The term menu is well known in the art and one skilled in the art knows that it means a list of options displayed on a screen. The menu shown in the FIGS. of the present application clearly shows a list of navigation options, some of which are URLs, Wynblatt does not disclose such a list or menu displayed on a screen. Wynblatt discloses a mobile information terminal such as a computer as and a local agent which is locally operated. The mobile information terminal includes a receiver, a URL queue and a WWW renderer/browser. The local agent includes a short-range transmitter to distribute information pointers to the mobile

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information terminal and a mechanism for transferring data into the transmitter. There is nothing disclosed in Wynblatt that remotely resembles or operates like the menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. In the Wynblatt patent, URLs are stored in a queue. The URL queue unit 32 is a repository for URLs and title strings, made of standard digital memory. New URL/title pairs arrive from the receiver and pairs may be requested by the WWW browser. Optionally, the queue unit may have a facility to alert the terminal user when a new URL has been received and is available. The title of each URL is displayed one at a time according to its place in the queue. "The user presses "grab" again, and the browser gets the next most recent URL." (see column 4, line 49, through column 5, line 6).

It is obvious, from reading Wynblatt, that the reference does not even suggest a menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. Wynblatt discloses on a queue of URLs without means to choose from a display of the titles and no menu or display of the titles and, thus, clearly does not anticipate Claims 1, 28, 36, 40, 41, and 49.

Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 1, 28, 36, 40, 41, and 49 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,219,696 to Wynblatt et al. has been overcome by the remarks above and that these Claims are in condition for allowance.

2. The Examiner's rejection of Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,182,050 to Ballard, has been studied and the Applicant respectfully submits that the cited reference does not disclose or anticipate several of the elements

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found in the rejected Claims.

The Ballard patent fails to disclose a menu display means for presenting a menu of navigation options when an end-user clicks on the banner and at least a portion of the navigation options are URLs on a network to which an end-user computer is connectable. Ballard discloses a system for distributing advertisements across the Internet including the use of advertising banners. There is nothing disclosed in Ballard that remotely resembles or operates like the menu display means for presenting a menu of navigation options when an end-user clicks on the banner that displays a menu of navigation options. The Examiner asserts that such a disclosure is found in column 10, lines 1-25 of Ballard. But no disclosure of a display of a menu of URL options are shown. The playback manager program determines when to display an advertisement on the end-user computer not the end-user. There are no selectable navigation options provided on the end-user's computer screen in Ballard. There is no mention in Ballard of clicking on a banner to bring up a menu with inducer selectable URL options. Ballard in column 10, lines 1-25, discloses "Once the ASP computer 52 makes the selections, the advertisements or identifications (e.g., web page address) of the selected advertisements are sent to the end-user computer along with the playback criteria. The end-user computer 14 stores the advertisements or identifications and the playback criteria. A playback manager program determines when to display an advertisement on the end-user computer." There is no menu and the end-user cannot choose among navigation options nor does Ballard even allow for an end-user to click on the banner that displays a menu of navigation options. In fact, Ballard teaches just the opposite because Ballard teaches that the end-user computer 14 stores the advertisements or identifications and the playback criteria and the playback manager program determines when to display an advertisement on the end-user computer.

It is obvious, from reading Ballard, that the reference does not even suggest a menu display means for presenting a menu

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of navigation options when an end-user clicks on the banner that displays a menu of navigation options. Ballard clearly does not anticipate Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 of the present Application. Therefore, the Applicant respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 1-4, 7-19, 21-27, 28-29, 31-34, 36-37, and 40-53 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,182,050 to Ballard, has been overcome by the remarks above and that these Claims are in condition for allowance.

3. The Examiner's rejection of Claims 56-57 and 61-62 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,493,702 to Adar et al., has been studied and the Applicant respectfully submits that the cited reference does not disclose one of the elements found in the rejected Claims. Claim 56, from which Claims 57 and 61-62 depend, includes a means for displaying an icon on a screen on an end-user computer wherein the icon is operable to launch the software and an alerting means for altering an appearance of the icon on said screen after the data is updated. Adar discloses informational icons representing whether the documents corresponding to each bookmark are available, relatively new, or popular, not icons capable of launching any kind of software as called for in the present Claims 56-66. Adar does not disclose, teach, or even suggest that any of these icons are operable to launch software. The Adar patent does not teach altering the appearance of the icon but rather displaying or not displaying an icon. This is not the same as altering it's appearance as described by example in the specification. Adar appears to teach directly away from the present patent application because Adar seems to teach that the application launching icon be removed from the end-user's screen which makes no sense whatsoever. Therefore, the Applicant

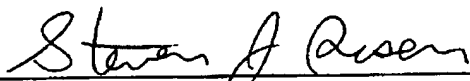
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respectfully submits that the remarks above clearly prove that there is an absence of features of the presently claimed invention in the cited reference. The Applicant respectfully submits that the Examiner's rejection of Claims 56-57 and 61-62 under 35 U.S.C. 102(e) as being anticipated by U.S. Patent No. 6,493,702 to Adar et al. has been overcome by the remarks above and that these Claims are in condition for allowance.

4. Therefore, the Applicant respectfully submits that all of the Examiner's rejections of Claims 1-66 have been overcome by the remarks above and requests that all pending Claims be passed on to issue.



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